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FLORIDA | Board of Clinical Laboratory Personnel
Probable Cause Panel

DRAFT MINUTES
February 17, 2015

Conference Call
Department of Health
4042 Bald Cypress Way
Tallahassee, FL 32399



Dr. Roger Donahue
Chair

Joseph Lesho
Program Operations Administrator

Jose Montalvan
Regulatory Supervisor

1 **Conference call started: 11:08 a.m.**

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3 The meeting was called to order by Dr. Donahue, Chair. Those present for all or part of the meeting included the following:

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5 **MEMBERS PRESENT:**

6 Dr. Roger Donahue, Chair
7 Dr. Michele Morgan

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9 **STAFF PRESENT:**

10 Joseph Lesho, Program Operations Administrator
11 Jose Montalvan, Regulatory Supervisor/Consultant

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13 **BOARD COUNSEL:**

14 Deborah Loucks, Esq., Assistant Attorney General
15 Office of Attorney General

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17 **PROSECUTION COUNSEL:**

18 Elana J. Jones, Esq., Assistant General Counsel

19
20 **COURT REPORTER:**

21 Court Reporter: For the Record Reporting
22 Phone: (850) 222-5491
23 Contact: Kay Fitchner

24 *Please note the minutes reflect the actual order agenda items were discussed and may differ from the agenda outline. AUDIO from*
25 *this meeting can be found online: <http://floridasclinicallabs.gov/meeting-information/past-meetings>*

26 Ms. Elana Jones began the meeting by providing the panel with an overview of the agenda, noting that private case D-01 had been
27 withdrawn.

28 Before the Reconsiderations portion began, Ms. Deborah Loucks asked the panel members if they received all of the required
29 materials in advance of the meeting. Drs. Roger Donahue and Michele Morgan each stated yes.

30 Ms. Loucks asked the panel members if they had sufficient time to review the materials. Drs. Donahue and Morgan each stated yes.

31 Ms. Loucks asked the panel members if they experienced any problems while trying to review the materials. Drs. Donahue and
32 Morgan each stated no.

33 Ms. Loucks asked the panel members if they felt that there were any circumstances that would disqualify or otherwise make it
34 improper for them to hear and deliberate on any cases on the agenda. Drs. Donahue and Morgan each stated no.

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36 **Reconsiderations started at 11:10 a.m.**

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39 I. R-01 Victor Esan

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41 Ms. Jones presented case number 2012-16892, Department of Health v. Victor Esan. The original complaint was filed by the
42 Department of Health's Compliance Management Unit due to the respondent's violation of a lawful order by the Board of
43 Clinical Laboratory Personnel. On August 30, 2013, the case was presented to the Probable Cause Panel, and an
44 administrative complaint was issued. Mr. Esan's license is now null & void, and in the interest of efficiency, the department
45 recommended that the case be closed.

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47 Dr. Donahue asked the panel if they had any comments.

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49 Dr. Morgan stated that she agrees with the recommendation due to the fact that the license is null & void.

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51 Dr. Donahue explained that the issued started with a continuing education audit for the 2008-2010 biennium, and Mr. Esan
52 had not completed any of his required 24 hours. He stated that Mr. Esan's address of record is in the UK, and he has not
53 responded to any mail from the department. Dr. Donahue then agreed with Dr. Morgan, and made a motion to dismiss the
54 case.

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56 Dr. Morgan seconded the motion. The motion carried unanimously.
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1 **Board action:** Motion to dismiss the case against Victor Esan made by Dr. Donahue, seconded by Dr. Morgan.
2 Vote: 2 yeas / 0 opposed; motion carried.
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5 **Reconsiderations concluded at 11:14 a.m.**
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8 The public portion of the meeting was adjourned at 11:15 a.m.